

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Kevin Presberry
Defendant.

Case No.

409CR507

WAIVER OF DETENTION HEARING

I understand that the Government has filed a Motion for Detention asking the court not to set a bond for my release.

After discussion with my lawyer, I want to waive (give up) my right to a detention hearing.

I understand I will be detained (held in custody) until my case is resolved.

Brian J. Thompson
Attorney for Defendant

Dated this *28* day of *Sept*, 2009

Kevin Presberry
Defendant

Dated this *28* day of *Sept*, 2009

ORDER OF DETENTION

Based on the record made in open court, I find that defendant's waiver of a detention hearing is knowing, intelligent and voluntary. I have considered the Report of the Pretrial Services Office and all of the factors required to be considered by 18 U.S.C. § 3142(g) and I find that there are no conditions or combinations of conditions that will reasonably assure the appearance of the defendant as required and the safety of the community.

ACCORDINGLY,

IT IS HEREBY ORDERED that the government's Motion for Detention is GRANTED and that defendant be detained pending trial.

IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility, separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal.

IT IS FURTHER ORDERED that the defendant be allowed reasonable opportunity for consultation with counsel and with defense counsel's retained investigator, paralegal, or other retained expert consultant, including persons retained to conduct physical or psychological examinations. Counsel or counsel's aforesaid authorized representatives shall be permitted to bring audio or video tapes, tape players and monitors into the correctional facility for the purpose of consulting with the defendant, which equipment shall be subject to physical examination by the correctional facility personnel. Counsel shall notify and obtain authorization on an ex parte basis from the United States Marshals Service personnel prior to any physical or mental examination, and prior to bringing any audio or video tapes, tape player and monitor into a correctional facility, to permit the Marshals Service to make any necessary arrangements with the correctional facility.

IT IS FURTHER ORDERED that on order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Thomas C. Mummert, III

THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this *28* day of *Sept*, 2009.